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stories relating to a mysterious murder. After some parleying the defendant agreed to take the story and pay \$200 therefor, provided it was reduced in length. When reduced defendant refused to publish it under Clemens' name, and Clemens refused to consent to its publication except under his name. Thereupon defendant withheld payment. The Supreme Court, Appellate Term, in *Clemens v. Press Pub. Co.*, 122 New York Supplement, 206, holds that in view of the fact that there was a sale and delivery of the story under which title vested in defendant, Clemens could neither compel nor prevent the publication of the story, and that nothing remained to be done but for defendant to pay the agreed purchase price.

Naturalization.—The case of *United States v. Cohen*, 179 Federal Reporter, 834, presents a new question of naturalization. The appellee was a woman 60 years of age, born in Germany, and a resident of New York since 1869. She filed her declaration of intention in 1907, and her petition for naturalization in 1909. In 1870 she married an alien of Russia, whom she has lived with ever since. The question, then, is whether the alien wife of an alien man, both having resided here for over 30 years, can become a citizen. The court said that the wife must take her husband's citizenship, and that one could not be a citizen and the other an alien. Even if she had been an American woman, she would immediately have become a Russian citizen upon her marriage. The certificate of naturalization was canceled.

X-Ray Machine—Evidence.—An entirely new use has been found for the X-ray machine, and a new mode of acquiring evidence, in *Browder v. Commonwealth*, 123 Southwestern Reporter, 328. A negro was on trial for shooting and killing a white man. He did not deny the shooting, but claimed he shot in self-defense. The deceased after the shooting had a pistol. Defendant claimed that he had been shot in the breast by deceased, which was the beginning of the difficulty. It would necessarily follow that if defendant was shot, and if he could affirmatively prove it, then a case of self-defense would be clearly established. Accused moved for a continuance in order that he might be examined with the X-ray by a physician to show that he was shot in the breast and that the bullet had lodged in his back. The court on appeal held that defendant on return of the case might be taken from jail to an X-ray machine and examined; for this fact, if proved, would strengthen his testimony as to what occurred at the time of the homicide.

Butcher May Serve on the Grand Jury.—Is a butcher disqualified from serving on the grand jury merely because of his occupation? Appellant in the case of *Mason v. State*, 53 Southern Reporter, 153, contended that the constant taking of life—the shedding of the blood